

AMENDED IN ASSEMBLY AUGUST 25, 2000

AMENDED IN ASSEMBLY JUNE 26, 2000

AMENDED IN SENATE MAY 26, 2000

AMENDED IN SENATE APRIL 27, 2000

AMENDED IN SENATE APRIL 24, 2000

AMENDED IN SENATE APRIL 10, 2000

AMENDED IN SENATE MARCH 22, 2000

## **SENATE BILL**

**No. 1469**

**Introduced by Senator Costa**

February 10, 2000

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An act to amend Section 17292 of, and to add Section 17292.1 to, the Education Code, relating to relocatable school buildings, ~~making an appropriation therefor~~, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

SB 1469, as amended, Costa. School buildings: relocatable buildings.

Existing law, the Field Act, requires that an owned relocatable building that is to be used for school purposes is subject to certain provisions requiring approval of plans and relating to the structural safety of school buildings. The Field Act provides that, notwithstanding those provisions, that an owned or leased relocatable building that does not meet those requirements may be used as a school building through

September 30, 1997, if certain conditions are met, including that the relocatable building was in use for classroom purposes on or before September 30, 2007. The Field Act also requires any relocatable building that has received a certification of compliance from the Department of General Services as required by those provisions to be reinspected for structural integrity by the Division of the State Architect by December 31, 2002.

This bill would delete the condition that required the relocatable building to be in use for classroom purposes on or before September 30, 1997, and would add the condition that the relocatable building be manufactured ~~and completed~~ on or before May 1, 2000. ~~The bill would also require any relocatable building that has received a certification from the Department of General Services to be reinspected for structural integrity at least every 10 years by a licensed structural engineer or licensed architect. The bill would require the State Allocation Board to allocate funds from the State School Building Aid Fund, a continuously appropriated fund, to school districts to assist in compliance with the bill, thereby resulting in an appropriation by creating a new use for continuously appropriated funds. The bill would also provide sole responsibility for review and approval of relocatable buildings to the Department of General Services and require that department to review its standards of approval and report its findings to the State Allocation Board.~~

*The bill would require the governing board of a school district to certify, for each relocatable building used as a school building pursuant to these provisions, that commencing September 30, 2007, the relocatable building is no longer being used as a school building.* The bill would make other conforming changes in those provisions.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: ~~yes~~—no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 17292 of the Education Code is amended to read:

17292. (a) Notwithstanding any provision of law, an owned or leased relocatable building that does not meet the requirements of Section 17280 may be used until September 30, 2007, as a school building, if all of the following conditions are met:

(1) The relocatable building was manufactured ~~and completed~~ on or before May 1, 2000, *and bears a commercial coach insignia of approval from the Department of Housing and Community Development.*

(2) The relocatable building is a single story structure with not more than 2,160 square feet of interior floor area when all sections are joined together.

(3) The relocatable building was constructed after December 19, 1979, and bears a commercial coach insignia of approval from the Department of Housing and Community Development.

~~(4) Prior to July 1, 2002, the~~ The bracing and anchoring of interior overhead nonstructural elements, such as light fixtures and heating and air-conditioning diffusers, and the foundation system complies with the applicable rules and regulations adopted pursuant to this article and published in Title 24 of the California Code of Regulations.

(5) The building construction, including associated site construction, except for the relocatable building defined in paragraph (2), complies with the applicable rules and regulations adopted pursuant to this article, Sections 4450 to 4458, inclusive, of the Government Code, and Section 13143 of the Health and Safety Code and the administrative and building standards published in Title 19 and Title 24 of the California Code of Regulations.

(6) The Department of General Services has issued a certification of compliance with the requirements of this article.

(b) The Department of General Services may assess fees to carry out the requirements of this section. Fees

1 imposed pursuant to this subdivision shall be equal to the  
2 costs associated with making the certifications and  
3 inspections required by, and otherwise enforcing, this  
4 section and shall be deposited in the Public School  
5 Planning, Design, and Construction Review Revolving  
6 Fund.

7 (c) Any relocatable building that has received a  
8 certification of compliance from the Department of  
9 General Services pursuant to subdivision (a) shall be  
10 reinspected for structural integrity ~~at least every 10 years~~  
11 ~~by a licensed structural engineer or licensed architect.~~

12 ~~(d) The State Allocation Board shall allocate funds, not~~  
13 ~~to exceed two thousand dollars (\$2,000) per relocatable~~  
14 ~~building, from the State School Building Aid Fund,~~  
15 ~~established pursuant to Section 16096, to school districts~~  
16 ~~to assist in compliance with this section.~~

17 ~~(e) To be eligible for funding pursuant to subdivision~~  
18 ~~(d), the relocatable building shall have been used as a~~  
19 ~~classroom on or before September 30, 1997.~~

20 ~~(f) by the Division of the State Architect by~~  
21 ~~December 31, 2002.~~

22 (d) For each relocatable building that was used as a  
23 school building pursuant to this section, the governing  
24 board of the school district shall adopt a resolution by  
25 October 30, 2007, certifying to the State Allocation Board  
26 that commencing September 30, 2007, the relocatable  
27 building is no longer being used as a school building.

28 ~~SEC. 2. Section 17292.1 is added to the Education~~  
29 ~~Code, to read:~~

30 ~~17292.1. The Department of General Services shall~~  
31 ~~have sole responsibility for review and approval of~~  
32 ~~portable or relocatable buildings for classroom purposes.~~  
33 ~~No portable or relocatable building that bears a~~  
34 ~~commercial coach insignia of approval from the~~  
35 ~~Department of Housing and Community Development~~  
36 ~~may be used for classroom purposes, except as authorized~~  
37 ~~pursuant to Section 17292 or pursuant to regulations~~  
38 ~~adopted by the Department of General Services prior to~~  
39 ~~the operative date of this section. On or before July 1,~~  
40 ~~2001, the Department of General Services shall review its~~

~~standards for approval of portable and relocatable school buildings to determine if the standards should be modified in any way and report its findings to the State Allocation Board.~~

~~SEC. 3.—~~

*SEC. 2.* This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Existing waivers of the requirements for the design, construction, reconstruction, alteration of, or addition to, school buildings that were granted by the State Allocation Board to authorize the use of relocatable classrooms meeting certain structural standards and other conditions expire on September 30, 2000. The loss of the ability to retain these buildings will force school districts to replace existing relocatable classrooms. The relocatable classrooms currently in use may continue to be used if retrofitted pursuant to provisions of this act. In order to provide school districts with adequate time to make the decisions necessary to either upgrade or replace these buildings, it is necessary that this act take effect immediately.

